to *February 16th, 1971,* not the February 14th, 1971 date specified by the Solicitor General.

I personally mailed the Petition at the Main Post Office here in New Orleans at about 1:30 P.M. on February 12th, 1971. I personally instructed the postal clerk that it was to be sent first class mail, and paid therefor.

On February 12th, 1971, I entrusted the delivery of my Petition, within the 90 day period, to the United States Government Postal Service, ample time for it to have been received in Washington, D. C. on *February 16th, 1971,* the date it was due by Supreme Court Rule 34. This matter before the Court is of such Public importance that had I even suspected that the mail service of this Petition would be so deleterious, I would have flown to Washington with it on Friday night, February 12th and filed it personally with the Court on Saturday morning, February 13th.

The Petition was docketed in the Supreme Court on February 22nd, 1971. I do not know whether the date of receipt by the Court is the same as the date of docketing. The unreasonable and unanticipated lapse of time during which the Petition was being transmitted through the mail was certainly beyond my control and any error, if error does exist, is harmless.

Robert M. Rose, M.D. Pro Se
1520 Louisiana Avenue
New Orleans, Louisiana 70115

MAR 23 1971

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that three true copies of the foregoing reply have been furnished by U. S. mail, postage prepaid, to:

ERWIN N. GRISWOLD
Solicitor General
Office of the Solicitor General
Department of Justice
Washington, D. C. 20530

JOHNNIE M. WALTERS
Assistant Attorney General
Department of Justice
Washington, D.C. 20530

Single copy has been furnished to:

HON. EDWARD W. WADSWORTH
Clerk, U. S. Court of Appeals for the
Fifth Circuit
400 Royal Street, Room 408
New Orleans, Louisiana 70130

Service of the foregoing copies effected this 23 day of March, 1971.

Robert M. Rose, M.D. Pro Se
1520 Louisiana Avenue
New Orleans, Louisiana 70115